

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**UNITED STATES OF AMERICA**

§

**Vs.**

§

**CASE NO. 6:15CR56**

**RASHEED ABDUL AZIZ**

§

**ORDER FOR  
18 U.S.C. § 4241 EXAMINATION**

On October 19, 2015, counsel for Defendant filed a Motion for Psychological/Psychiatric Examination to Determine Competency (ECF 16). Counsel expresses a concern regarding Mr. Aziz's ability to understand the nature and substance of the proceedings and whether he was sane at the time of the alleged offense. He seeks an examination pursuant to 18 U.S.C. §§ 4241 and 4242. The Court conducted a hearing on November 6, 2015. The Government did not oppose the motion.

The Court is of the opinion that there is reasonable cause to believe that Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. It is accordingly

**ORDERED** that the Motion for Psychological/Psychiatric Examination to Determine Competency (ECF 16) is **GRANTED**.

**IT IS FURTHER ORDERED** that **RASHEED ABDUL AZIZ** shall be committed to the custody of the Attorney General for a period not to exceed 30 days<sup>1</sup> and shall be examined by a qualified psychiatrist or psychologist under the provisions of Title 18, United States Code, Section 4241, to determine:

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<sup>1</sup> Pursuant to 18 U.S.C. § 4247(b), an examination pursuant to § 4241 may not exceed thirty days.

Whether Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

In addition, a preliminary assessment shall be conducted concerning the existence of insanity at the time of the alleged offense.

**IT IS FURTHER ORDERED** that the original written report of the psychiatrist or psychologist conducting the mental competency examination, setting out his or her findings, be forwarded to the undersigned at 211 W. Ferguson St., Suite 300, Tyler, Texas 75702, with copies also being further furnished to Frank Coan, Assistant United States Attorney, 110 N. College St., Suite 700, Tyler, Texas 75702, and to Defendant's counsel, Assistant Federal Defender Ken Hawk, 110 N. College St., Suite 1122, Tyler, Texas 75702.

**IT IS FURTHER ORDERED** that the United States Marshal for the Eastern District of Texas, or his authorized representative, shall take Defendant into his custody and shall produce Defendant to any suitable Bureau of Prisons facility under the direction of the Attorney General for examination, and upon completion of said examination shall return Defendant to this District for further proceedings.

So ORDERED and SIGNED this 6th day of November, 2015.

  
K. NICOLE MITCHELL  
UNITED STATES MAGISTRATE JUDGE